

Assigned for all purposes to: Spring Street Courthouse, Judicial Officer: William Crowfoot

Edward M. Morgan, Esq. - State Bar No. 273336
DOWNTOWN L.A. LAW GROUP
601 N. Vermont Ave.
Los Angeles, CA 90004
Tel: (213) 389-3765
Fax: (877) 389-2775
Email: Edward@downtownlalaw.com

Attorneys for Plaintiff
MARGARET IACCINO

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

MARGARET IACCINO, an individual.

Plaintiff,

v.

WALMART, INC., a Delaware corporation;
NATALIE DOE, an individual; and DOES 1-
25, inclusive.

Defendants.

Case No.: 22STCV09048

COMPLAINT FOR DAMAGES

1. NEGLIGENCE
2. PREMISES LIABILITY

[JURY DEMANDED]

COMES NOW, Plaintiff, MARGARET IACCINO, and alleges against Defendants,
and each of them, as follows:

1. Plaintiff MARGARET IACCINO is an individual and is now, and at all times mentioned in this complaint was, an adult resident of Los Angeles County, California.
2. Plaintiff is informed and believes, and based upon such information and belief alleges that at all times relevant hereto Defendants WALMART, INC., a Delaware corporation; NATALIE DOE, an individual; and DOES 1-25, inclusive, are, and at all times herein mentioned were individuals, corporations, sole proprietors, shareholders, associations,

Downtown L.A. Law Group
601 N. Vermont Ave.
Los Angeles, CA 90004

1 partners and partnerships, joint venturers, and/or business entities unknown, primarily
2 residing and doing business in the county of Los Angeles, State of California.

3 3. Plaintiff is informed and believes, and based upon such information alleges that
4 Defendant NATALIE DOE was a supervisor and/or manager of the store at the time of
5 Plaintiff's slip and fall. Based on information and belief, NATALIE DOE is now, and at all
6 times mentioned in this complaint was, an adult resident of Los Angeles County, California.
7 It is believed that NATALIE DOE was responsible for the maintenance of the store at the
8 time of Plaintiff's slip and fall, was responsible to verify that there was in place a policy
9 which provided for the maintenance of the store according to industry standards, was
10 responsible for the training and education of the store employees who were tasked with
11 conducting the maintenance of the store, and was responsible for verifying that the store be
12 maintained according to industry standards and sufficient policies and procedures.

13 4. Defendants DOES 1-25, inclusive, are sued herein under fictitious names, their true
14 names and capacities being unknown to Plaintiff. Plaintiff will amend this complaint to
15 allege their true names and capacities when ascertained. Plaintiff is informed and believes
16 and thereon alleges that each of the fictitiously named Defendants is responsible in some
17 manner for the occurrences herein alleged, and that Plaintiff's damages as herein alleged were
18 proximately caused by those Defendants.

19 5. Plaintiff is informed and believes, and based upon such information and belief alleges
20 that at all times relevant hereto Defendants WALMART, INC., a Delaware corporation;
21 NATALIE DOE, an individual; and DOES 1-25, inclusive, are, and at all times herein
22 mentioned where individuals, corporations, sole proprietors, shareholders, associations,
23 partners and partnerships, joint venturers, and/or business entities unknown, primarily
24 residing and doing business in the County of Los Angeles, State of California. At all times
25 herein mentioned, said Defendants were the owners, lessors, sub-lessors, managing agents,
26 landlords, renters, managers, operators, marketers, inspectors, maintainers and controllers, of
27 a commercial property located at 19821 Rinaldi St., Porter Ranch, CA 91326, (hereinafter
28

1 referred to as "THE SUBJECT PREMISES"), to which building the general public is invited
2 to come.

3 6. At all times herein mentioned, each of the Defendants were the agents, servants, and
4 employees of their co-defendants, and in doing the things hereinafter alleged were acting in
5 the scope of their authority as agents, servants, and employees, and with permission and
6 consent of their co-defendants. Plaintiff is further informed and believes, and thereon
7 alleges, that each of the Defendants herein gave consent to, ratified, and authorized the acts
8 alleged herein to each of the remaining Defendants.

9 **FIRST CAUSE OF ACTION**

10 **NEGLIGENCE**

11 **(Against All Defendants)**

12 7. Plaintiff re-alleges each and every allegation contained in the above Paragraphs 1
13 through 6, and by this reference incorporates said paragraphs as though fully set forth herein.

14 8. On March 17, 2020 Plaintiff was lawfully on the premises of Defendants' store for
15 the purpose of purchasing miscellaneous items. After entering the store, Plaintiff was
16 walking within the subject premises when, suddenly and without warning, Plaintiff slipped
17 on an unknown, slippery, greasy and/or hazardous substance on the floor and fell violently to
18 the floor, causing Plaintiff to sustain the serious injuries and damages described below.

19 9. Said Defendants, and each of them, fully and well knew, or should have known in the
20 exercise of reasonable care, that the structures and/or components and/or other parts of said
21 building were in a dangerous and defective and unsafe condition, and a menace to Plaintiff
22 and others lawfully on said premises.

23 10. By reason of the aforesaid negligence, carelessness and recklessness of Defendants,
24 and each of them, as aforesaid, and as a direct and proximate result thereof, a dangerously
25 dirty, slippery and/or wet floor that was not properly installed, maintained, cleaned and/or
26 protected at said property causing Plaintiff to sustain the injuries and damages as hereinafter
27 alleged.
28

11. As a direct and proximate result of the negligence, carelessness and recklessness of Defendants, and each of them, as aforesaid, Plaintiff was hurt in her health, strength and activity, sustaining severe shock and injuries to her person, all of which said injuries have caused, continue to cause, and will in the future cause Plaintiff great physical and emotional pain and suffering; Plaintiff is informed and believes, and therefore alleges, that said injuries are permanent in nature, all to her damage in a sum according to proof.

12. As a direct and proximate result of the negligence, carelessness and recklessness of Defendants and each of them, as aforesaid, Plaintiff has been required to obtain medical services, and Plaintiff has suffered severe emotional distress.

SECOND CAUSE OF ACTION

PREMISES LIABILITY

(Against All Defendants)

13. Plaintiff re-alleges each and every allegation contained in the above Paragraphs 1 through 12, and by this reference incorporates said paragraphs as though fully set forth herein.

14. On March 17, 2020 Plaintiff was lawfully on the premises of Defendants' store for the purpose of purchasing miscellaneous items. After entering the store, Plaintiff was walking within the subject premises when, suddenly and without warning, Plaintiff slipped on an unknown, slippery, greasy and/or hazardous substance on the floor and fell violently to the floor, causing Plaintiff to sustain the serious injuries and damages described below.

15. On or about March 17, 2020, Defendants WALMART, INC., a Delaware corporation; NATALIE DOE, an individual; and DOES 1-25, inclusive, carelessly and negligently owned, rented, managed, leased, supervised, inspected, operated, maintained and/or controlled the premises located at or near 19821 Rinaldi St., Porter Ranch, CA 91326, such that it was in a dangerous, defective and unsafe condition in conscious disregard for the risk of harm to invitees thereon. By reason of said carelessness, negligence and conscious disregard of the

Downtown L.A. Law Group
601 N. Vermont Ave.
Los Angeles, CA 90004

Defendants, and each of them, said premises were unsafe and dangerous to the general public and specifically Plaintiff, MARGARET IACCINO.

16. Defendants WALMART, INC., a Delaware corporation; NATALIE DOE, an individual; and DOES 1-25, inclusive, and each of them, failed to warn Plaintiff of said dangerous, defective and unsafe condition, although said Defendants, and each of them, knew of said condition.

17. As a direct and legal result of said carelessness, negligence and conscious disregard of Defendants WALMART, INC., a Delaware corporation; NATALIE DOE, an individual; and DOES 1-25, inclusive, and each of them, Plaintiff was seriously injured when she slipped and fell on a dangerously dirty, slippery and/or wet floor that was not properly installed, maintained, cleaned and/or protected at said property causing Plaintiff to sustain the injuries and damages as hereinafter alleged.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment against Defendants as follows:

1. For general damages in a sum according to proof;
2. For medical, hospital, and related expenses according to proof;
3. For loss of earnings according to proof;
4. For loss of future earning capacity according to proof;
5. For pre- and post-judgment interest and costs of suit incurred herein;
6. For such other and further relief as this Court may deem proper.

DATED: March 14, 2022

DOWNTOWN L.A. LAW GROUP



Edward M. Morgan, Esq.
Attorney for Plaintiff,
MARGARET IACCINO

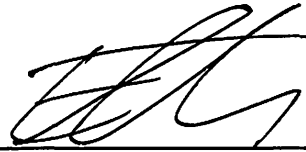
///

DEMAND FOR JURY TRIAL

Plaintiff demands trial by jury of all issues so triable.

DATED: March 14, 2022

DOWNTOWN L.A. LAW GROUP



Edward M. Morgan, Esq.
Attorney for Plaintiff,
MARGARET IACCINO

Downtown L.A. Law Group
601 N. Vermont Ave.
Los Angeles, CA 90004